

HOUSE BILL NO. 19

INTRODUCED BY J. ANDERSEN

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A COUNTY TO SEEK REIMBURSEMENT OF TRAINING EXPENSES FOR A DEPUTY SHERIFF WHO LEAVES EMPLOYMENT BEFORE COMPLETING AT LEAST 36 MONTHS OF SERVICE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Reimbursement of training expenses if minimum service not fulfilled.

(1) At the time that a deputy sheriff is employed by a county, the county may require the deputy sheriff to enter into a contract for reimbursement, subject to the provisions of this section. The contract may require that the county be reimbursed for the cost of the deputy sheriff's basic course training required under 7-32-303(5) if the deputy sheriff leaves employment as a deputy sheriff for the county before completing at least 36 months of service.

(2) The reimbursement due may be equivalent to the total cost of the deputy sheriff's training prorated over a 36-month period and reduced proportional to the number of months of completed service.

(3) The contract must require that the deputy sheriff pay the reimbursement unless the deputy sheriff's next employer agrees to pay the debt. The reimbursement must be paid according to a payment schedule contained in the contract with the county that paid for the training, but must be fully paid within 18 months of the deputy sheriff's termination of employment unless otherwise agreed to in the contract by the county.

(4) The 36-month minimum service requirement begins on the first day of employment.

(5) In an action brought to enforce any provisions of a contract entered into under this section, the court may award reasonable attorney fees and costs to the prevailing party.

(6) As used in this section, the following definitions apply:

(a) "Leaves employment" means a voluntary resignation.

(b) "Total cost" means the cost of the deputy sheriff's basic course training and salary, mileage, and expenses paid to the deputy sheriff while in training.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an

1 integral part of Title 7, chapter 32, part 21, and the provisions of Title 7, chapter 32, part 21, apply to [section 1].

2 - END -